



**Australian  
Competition &  
Consumer  
Commission**

GPO Box 520  
Melbourne Vic 3001

Level 35, The Tower  
360 Elizabeth Street  
Melbourne Vic 3000

tel: (03) 9290 1800  
fax: (03) 9663 3699

[www.accc.gov.au](http://www.accc.gov.au)

Our Ref: A91064  
Contact Officer: Louise Hird  
Contact Phone: 03 9290 1484

14 November 2007

Lis Blandamer  
Manager  
VFF Horticulture Group  
24-28 Collins Street  
Melbourne VIC 3000

Dear Ms Blandamer

**Application for Authorisation – VFF Sunraysia Branch  
- draft determination and request for interim authorisation**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by the VFF Sunraysia Branch (the Branch) on 18 October 2007.

A copy of the ACCC's draft determination is enclosed. For the reasons set out in its draft determination, the ACCC proposes to grant the authorisation for five years.

**Interim authorisation**

The ACCC has also decided to grant interim authorisation to the Branch to allow them to commence collective negotiations with dried vine fruit processors for the 2008 harvest.

In making this decision, the ACCC was influenced by the voluntary nature of the arrangements and the absence of collective boycotts.

Interim authorisation protects the arrangements for which authorisation is sought from legal action under the relevant provisions of the *Trade Practices Act 1974* (the Act) until the ACCC issues a determination in this matter (unless circumstances warrant revocation or amendment of the interim authorisation at an earlier stage).

## Next steps

Once the ACCC issues a draft determination, the Branch or any interested party who may be dissatisfied with the ACCC's draft determination may request that the ACCC convene a 'pre-decision conference'. A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Under the Act, the ACCC must set a date within 14 days of which any pre-decision conference must be requested. Accordingly, if you wish the ACCC to hold a pre-decision conference in relation to the draft determination, you must notify the ACCC in writing by **close of business Wednesday, 28 November 2007**. Conferences are conducted informally, without the participation of legal or other professional advisers.

Alternatively, you are also invited to make a written submission in response to the ACCC's draft determination. Written submissions should be lodged by **Wednesday, 5 December 2007** at the following address:

The General Manager  
Adjudication Branch  
Australian Competition & Consumer Commission  
PO Box 3131  
CANBERRA ACT 2601

Submissions can also be lodged by e-mail to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) or by facsimile on 02 6243 1211.

Persons lodging a submission with the ACCC may request that information included in the submission be excluded from the public register in certain circumstances. Submissions which are excluded from the public register may still be taken into account by the ACCC when conducting its assessment of an authorisation application. Guidelines for seeking exclusion from the public register are attached for your information.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-determination conference be called, and will then release a final determination in relation to the Branch's application.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Gavin Jones on 03 9290 1475.

Yours sincerely



Scott Gregson  
General Manager  
Adjudication Branch